

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NANCY LAUB,

Plaintiff,

-v-

AETNA LIFE INSURANCE COMPANY, THE
DEPOSITORY TRUST & CLEARING
CORPORATION, and THE DEPOSITORY TRUST
& CLEARING CORPORATION HEALTH PLAN,

Defendants.
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: 07 Civ. 9781 (JSR)
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: ORDER
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JED S. RAKOFF, U.S.D.J.

Plaintiff Nancy Laub, who seeks to recover damages from defendants under the Employee Retirement Income Security Act (ERISA), 29 U.S.C § 1001 et seq., applies to the Court for permission to supplement the record before the Court with the rebuttal report of Dr. Leo J. Shea, III, a neuropsychologist, dated February 14, 2008. The application is granted. However, plaintiff's further request to allow Dr. Shea to testify if this matter goes to trial is not yet ripe for adjudication.

An opinion setting forth the reasons for this ruling will follow in due course.

SO ORDERED.

Dated: New York, NY
April 8, 2008


JED S. RAKOFF, U.S.D.J.